

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

v. : MAGISTRATE NO. 17-1475-M

CERTAIN PREMISES :

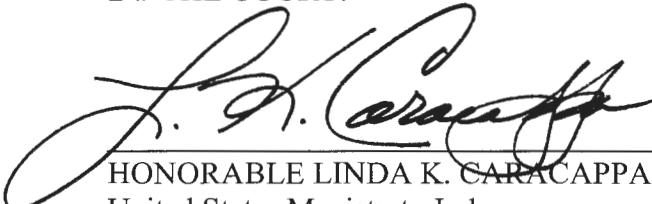
UNSEALING ORDER

AND NOW, this 17<sup>th</sup> day of November, 2017, upon consideration of the  
Government's Motion to Unimpound the documents relating to this matter, it is hereby

O R D E R E D

that all of the filed documents and docket entries in this case, including this Order, the  
government's application, motion to impound, affidavit, inventory, and accompanying  
docket papers are unsealed and unimpounded. The Court enters this Order because,  
although the government set forth a compelling need for sealing its application and  
related papers during the investigation, those justifications no longer exist.

BY THE COURT:

  
HONORABLE LINDA K. CARACAPPA  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

v. : MAGISTRATE NO. 17-1475-M

CERTAIN PREMISES :

GOVERNMENT'S MOTION TO UNIMPOUND SEARCH WARRANT  
APPLICATION AND OTHER DOCUMENTS FILED UNDER SEAL

The United States of America, by and through its attorneys, Louis D. Lappen, United States Attorney in and for the Eastern District of Pennsylvania, and Eric L. Gibson, Assistant United States Attorney for the District, moves to unimpound and unseal the documents filed with the Court in connection with its application for a search warrant, including the application and affidavit and inventory, and in support of its motion states as follows:

1. On or about November 1, 2017, the government filed an application for a warrant to conduct a search of AOL accounts associated with [bobcongress@aol.com](mailto:bobcongress@aol.com). That application was granted by the Honorable Carol Sandra Moore Wells and the warrant was executed shortly thereafter.

2. At that time of the issuance of the search warrant, the government sought to seal its application, affidavit, and other associated documents, on the ground that their public dissemination could interfere with the ongoing criminal investigation.

3. The interests identified by the government in sealing were compelling. The sealing aimed to protect the ongoing criminal investigation, which investigations are traditionally conducted in secret. This secrecy protects the interests of targets and witnesses as well as the government.

4. This Court issued the search warrant and granted the motion to seal.

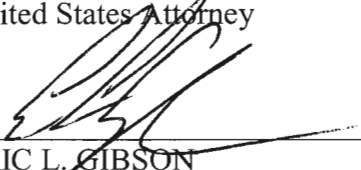
5. The grand jury investigation has now resulted in the issuance of an indictment that names Kenneth Smukler and Donald Jones, as defendants. Thus, some of the bases for the application to seal are no longer existent.

6. At the same time, the agent's affidavit is the kind of document that the government would ordinarily supply in discovery in this case.

7. Accordingly, the government respectfully requests that its motion to unimpound and unseal its application, affidavit and other associated documents be granted and that those documents, along with all related docket entries, be unimpounded and unsealed.

Respectfully submitted,

LOUIS D. LAPPEN  
United States Attorney

  
ERIC L. GIBSON  
Assistant United States Attorney

DATED: November 16, 2017